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## Facsimile Transmittal Sheet

To: Examiner Josiah Cocks	From: Bradley F. Rademaker
Company: U.S. Patent & Trademark Office	Date: December 9, 2003
Fax Number: 1-703-872-9306	Number of Pages: 18
Your Reference Number: 09/927,892	Sender's Reference Number: 217 P 759
Re: Second Reply to Final Office Action for Application Serial No. 09/927,892	

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189460.1

**Comments/Notes:**

Enclosed, please find:

- Amendment Transmittal, 2 pages
- Second Reply to Final Office Action of September 9, 2003, 12 pages
- Declaration of Adrian A. Bruno, 3 pages
- Certificate of Facsimile Transmission

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/927,892 Confirmation No.: 4789  
 Applicants : Robert T. Stephen et al.  
 Filed : August 10, 2001  
 TC/A.U. : 3749  
 Examiner : Josiah Cocks  
  
 Docket No. : 217 P 759  
 Customer No. : 34540

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Title : SUPPORT FRAME BARBECUE GRILL ASSEMBLY

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AMENDMENT TRANSMITTAL

Commissioner For Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Transmitted herewith is an Amendment in the above-identified Application. Applicant is other than a small entity. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply. The shortened statutory period of response is set to expire on December 9, 2003. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition for extension of time. The Commissioner is hereby authorized to charge any deficiencies in these fees to Deposit Account No. 23-0280. A duplicate copy of this sheet is attached.

No additional fee for the Amendment is required. The fee for the Amendment has been calculated as shown below:

	Claims Remaining After Amendment	Highest Number Previously Paid For	Present Extra	Small Entity		Other Than Small Entity	
				Rate	Additional Fee	Rate	Additional Fee
Total	46	- 71	= 0	x \$ 9	\$	x \$ 18	\$0
Independent	5	- 9	= 0	x \$ 43	\$	x \$ 86	\$0
First Presentation of Multiple Dependent Claims				x \$145	\$	x \$290	\$0
TOTAL ADDITIONAL FEE							\$0

Attorney Docket No. 217 P 759  
Application No. 09/927,892  
Page 2

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-0280. A duplicate copy of this sheet is attached.

X Any filing fees under 37 C.F.R. 1.16 for the presentation of extra Claims.

Respectfully submitted,

Date: December 9, 2003

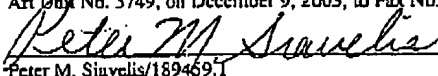
By:



Bradley F. Rademaker, Reg. No. 35,331  
Peter M. Siavelis, Reg. No. 51,136  
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Attorneys for Applicants

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this document is being facsimile transmitted to the Patent and Trademark Office, to the attention of Examiner Josiah Cocks, Art Unit No. 3749, on December 9, 2003, to Fax No. 703/872-9306.



Peter M. Siavelis/189469.1

12-11-03  
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13/c  
(nes)**RESPONSE UNDER 37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 3743****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 09/927,892 Confirmation No.: 4789  
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TC/A.U. : 3749  
Examiner : Josiah Cocks

Docket No. : 217 P 759  
Customer No. : 34540

Title : SUPPORT FRAME BARBECUE GRILL ASSEMBLY

OK to enter  
in 12/30/03**SECOND REPLY TO FINAL OFFICE ACTION OF SEPTEMBER 9, 2003**

Mail Stop AF  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

This Second Reply and the amendments herein are responsive to the Final Office Action of September 9, 2003. This Reply is being filed within the three month statutory period, and after the filing of a prior Reply and receiving Examiner's Advisory Action.

Please amend the above-identified Application as indicated herein. The claim amendments are made according to Examiner's invitation to amend to resolve rejection of claims based on 35 U.S.C. §112. These amendments are in accordance with the amendment expressed to Examiner during the December 5, 2003 telephone conference. Applicants thank Examiner for the courtesy of the telephonic conference with Applicants' attorney, and endeavor to provide explanation regarding the allowability of the amended claims still pending.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper, and remarks/explanations follow.

**Remarks** begin on page 8 of this paper.